FILED

July 22, 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

AO 91 (Rev. 01/09) Criminal Complaint

BY:_____ APV

DEPUTY

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America	)	
v.	)	
	)	Case No: EP: 24-M-3137-MAT
Omar Uriel MONRROY-Diaz	)	
	)	
_____	)	
Defendant(s)		

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of <u>July 8, 2024,</u> in the county of <u>El Paso</u> in the <u>Western</u> District of <u>Texas</u>, the defendant violated <u>8</u> U.S.C. § <u>1326</u>, an offense described as follows:

an alien, who had been excluded, deported and removed from the United States and who has not received the consent to reapply for admission from the Attorney General of the United States or the Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Section 202(3), 202(4), and 557, did enter, attempt to enter, or was found in the United States.

This criminal complaint is based on these facts:

On July 8, 2024, the defendant, Omar Uriel MONRROY-Diaz, was found to be in the United States on the 100 block of Holguin in Vinton, Texas, within the Western District of Texas. Department of Homeland Security records determined that the Defendant is a citizen and national of Mexico, thereby, an alien to the United States. The Defendant's immigration records revealed that he was removed from the United States to Mexico on August 15, 2020 through El Paso, Texas. There is no evidence that the Defendant received expressed consent from the Secretary of Homeland Security or the U.S. Attorney General to reapply for admission into the United States.

☒ Continued on the attached sheet.

_____
Complainant's signature

Erika Gutierrez Deportation Officer
Printed name and title

telephonically
Sworn to ~~before me and signed in my presence.~~

Date: July 22, 2024 at 12:00 p.m.

_____
Judge's signature

City and state: El Paso, Texas

Miguel A. Torres U.S. Magistrate Judge
Printed name and title

CONTINUATION OF CRIMINAL COMPLAINT

WESTERN DISTRICT OF TEXAS

United States of America

v.

Omar Uriel MONRROY-Diaz

Continuation of Statement of Facts:

The Defendant is the subject of an investigation into aliens that have been previously removed from the United States and who may have possibly returned without permission.

On July 8, 2024, Deportation Officers assigned to the FOT conducted surveillance at the 100 block of Holguin in Vinton, Texas and observed a male subject that fit the Defendant's description exit the residence.   The Defendant's identity was positively identified by the FOT through matching photographs obtained from immigration databases.

The Defendant's immigration records checks revealed that, on May 24, 2010, a Final Administrative Removal Order was issued in York, Pennsylvania and the Defendant was removed to Mexico on May 28, 2010, through Hidalgo, Texas. The removal order has been reinstated three (3) times. The Defendant was removed to Mexico on December 1, 2010, and on March 13, 2012, through Brownsville, Texas. and on August 15, 2020, through El Paso, Texas.

There is no evidence that the Defendant has received expressed consent from the Secretary of Homeland Security or the U.S. Attorney General to reapply for admission into the United States.

The Defendant's criminal history reflects the following:
- On April 5, 2010, the Defendant was convicted of Simple Assault and Recklessly Endangering for which he was sentenced to "No Less Than Six (6) months nor more than 23 months" to run concurrently.
- On November 29, 2010, the Defendant was convicted of 8 USC 1325 and was sentenced to seven (7) days imprisonment or time served.
- On January 3, 2012, the Defendant was convicted of 8 USC 1325 and was sentenced to seventy-five (75) days imprisonment with credit for time served.
- On May 21, 2020, the Defendant was convicted of 8 USC 1326 and sentenced to six (6) months imprisonment and one (1) year non-reporting supervised release.